

# U.S. House of Representatives

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## **Sensenbrenner, King Hail House Passage of Border Security, Immigration Bill**

### ***Legislation Aims to Prevent Illegal Immigration By Gaining Control of the Borders and Holding People Accountable***

Washington, D.C. -- House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (R-Wis.) and House Homeland Security Committee Chairman Peter T. King (R-N.Y.) today hailed House passage of H.R. 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005. The bill passed the House by a vote of 239-to-182.

Chairman Sensenbrenner stated, "We are a nation of immigrants and a nation of laws – this legislation reinforces both of these values. This legislation aims to prevent illegal immigration and reestablish respect for our immigration laws. Those breaking the law will be held accountable, whether they are smugglers cruelly trafficking in human beings, employers hiring illegal workers, or alien gang members terrorizing communities."

"The terrorist attacks of Sept. 11th made it clear that our nation must be more aggressive in preventing terrorists from entering the United States," Chairman King said. "We must establish operational control of our borders and swiftly remove illegal aliens once they are apprehended. The time to act is now—until our borders are protected, we cannot have any kind of meaningful immigration reform."

**H.R. 4437 will combat the hiring of illegal workers by providing all employers with a reliable method of determining whether employees are legally eligible to work.** The provision is modeled on legislation (H.R. 19) introduced by Rep. Ken Calvert (R-Calif.) that makes mandatory an employment eligibility verification system currently voluntary. This

program confirms or denies the authenticity of Social Security numbers offered by new hires. This legislation requires that all employers within two years will begin checking any new hires against this database and begin checking all hires within six years. H.R. 4437 also increases civil and criminal penalties for knowingly hiring or employing an illegal worker.

**H.R. 4437 will end the “catch and release” practice, an obvious gap in our nation’s homeland security efforts.** This year alone, some 120,000 illegal aliens from countries other than Mexico (OTMs) have been apprehended by the Border Patrol, only to be released due to a lack of detention space. H.R. 4437 incorporates H.R. 4312, legislation that was originally passed by the Committee on Homeland Security, requiring mandatory detention for all aliens who are apprehended at U.S. land borders attempting to cross illegally, by Oct. 1, 2006, and requiring all illegal immigrants apprehended at U.S. borders to remain in custody until removal from the country.

### **Other Highlights:**

**Ensure Coverage of Entire Border**—Establishes physical barriers and incorporates widespread, state-of-the-art surveillance technology, including cameras, sensors, radar, satellite, and Unmanned Aerial Vehicles (UAVs), in order to ensure coverage of the entire border.

**Increase Penalties for Alien Smuggling**—Under current law, individuals convicted of alien smuggling crimes often receive lenient sentences. These provisions would greatly increase criminal penalties for alien smuggling by establishing mandatory minimum sentences, among other things. These provisions were recommended by a panel of border-area U.S. Attorneys to make it easier to deport smugglers and illegal entrants.

**Crackdown on Alien Gang Members**—This provision incorporates H.R. 2933, introduced by Rep. Randy Forbes (R-Va.). This provision would render alien street gang members inadmissible and deportable, and authorize the Attorney General to designate groups as criminal street gangs if they meet certain criteria. This provision also mandates the detention of alien street gang members and bars alien gang members from receiving humanitarian benefits.

**Increase Penalties for Aliens Reentering Illegally**—Incorporates H.R. 3150, introduced by Rep. Darrell Issa (R-Calif.) that would stiffen penalties, including establishing mandatory minimum sentences, for aliens who reenter the United States after having been removed.

**Barring Terrorist Aliens from Naturalization**—This provision bars aliens who are terrorists or security risks from becoming U.S. citizens.

**Joint DHS/DOD Strategy** — Requires the U.S. Department of Homeland Security (DHS) and the U.S. Department of Defense (DOD) to develop a joint strategic plan that will provide the Border Patrol agents with military support to increase surveillance along the border.

**Authorize Additional Inspectors** — Authorizes 1,000 new, full-time port of entry inspectors over the next four years and the training of 1,500 additional K-9 units over the next five years.

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